

# Effects of Term Limits in Louisiana House of Representatives

In early August, NCSL, CSG, & SLLF released a synopsis report of a three year, nine state case study of the effects and results of term limits on state legislatures titled: “Coping with Term Limits: A Practical Guide”(the complete study will be published in 2007). What we present to you is a summary of that report with some data specific to Louisiana & the House of Representatives, as such data is available and discernable.

Effects	Study Findings	Louisiana Historical Information	
Turn over	Increases by average of 11.5% Forces out long-serving members who provided cadre of experienced mentors and leaders	% new members	Seniority
		1972 = 62%;	= 20yrs
		1976 = 32%;	= 20yrs
		1980 = 26%;	= 20yrs
		1984 = 25%;	= 24yrs
		1988 = 30%;	= 20yrs
		1992 = 33%;	= 24yrs
		1996 = 30%;	= 28yrs
	See, Tables 1 & 2, at end	2000 = 19%;	= 28yrs
		2004 = 19%;	= 32yrs
		2008 = ~45%;	= 10yrs

<b>Effects</b>	<b>Study Findings</b>	<b>Louisiana Historical Information</b>
<b>Careerism</b>	Long serving members run for other elective positions	2004-2007 term: to date 10 House members have left, 4 elected to other offices, 2 appointed to Exec offices; 2006 = 2 House members & 6 Senators seeking other elected office; 2007 = 21 House members to vie for Senate.
<b>Structure</b>	Changes here center on the lack of experience of persons elected	
<b>Leaders</b>	<p>No leader, post term limits, has served more than 4 years (2 terms), most limited to 1 term as leader.</p> <p>Decrease in legislative experience, a steep learning curve for a leader, and shortened tenure (lame duck status) weakens leaders.</p>	<p>LA House: only Speaker Henry (1972-1980) has succeeded himself and he served concurrently with a re-elected Governor.</p> <p>Henry was in 2<sup>nd</sup> term when elected Speaker; Hainkel in 3<sup>rd</sup>; Alario in 4<sup>th</sup> &amp; 6<sup>th</sup>; Dimos in 4<sup>th</sup>; Downer in 6<sup>th</sup>; DeWitt in 6<sup>th</sup>; &amp; Salter in 6<sup>th</sup></p> <p>Next Speaker, Pro Tempore, Committee Chairs will be in their 3<sup>rd</sup> (or possibly 2<sup>nd</sup> term for Chairs)</p>

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	<p>A prospective leader's ability to raise money for their caucus begins to influence the selection of leaders, because members can't look to experience or proven leadership within the body.</p>	
<b>Committees</b>	<p>Dramatically increased turn over of Chairs, decreases level of experience &amp; expertise. Often new chairs have no previous experience on a committee or even in the legislature: creates an especially steep learning curve for chairs and a greater reliance on 3<sup>rd</sup> parties as sources of critical information – staff, lobbyists, bureaucrats; leads to revisiting of issues session after session, term after term; debate in committees turns more</p>	<p>Committee Chairs historically turn-over with each new Speaker (Speaker Salter being the exception retaining <b>11</b>). Under Downer/DeWitt the returning chairs from Alario-2 retained were <b>2</b>; DeWitt retained <b>7</b> from Downer. Due to our tradition of Speaker turn-over with each new Governor, many of the effects of term limits on Committee Chairs occurred in the House before the advent of term limits: committee chairs often come from outside the committee's prior members [<b>19 of 64</b> Chairs appointed</p>

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	<p>personal, partisan &amp; political; role as gate-keeper for the House diminishes; some decisions, which should be made by a committee, transferred to majority caucuses, or to Rules/Calendar committees, or to leadership.</p>	<p>since 1988 had never served on the committee when appointed – 30%], chairs are not trained to conduct meetings but are left to <i>on-the-job</i> learning and thus to repeat behavior/patterns observed from earlier service; our committees do a poor job of gate keeping, reporting on the average 2/3 of all bills referred.</p>
Staff	<p>Role of non-partisan staff enhanced due to increased dependence on them to educate and train new legislators on policy &amp; process.</p> <p>Partisan staff becomes more influential due to members' familiarity and comfort with the staffer's philosophy.</p> <p>Turn over has increased; it has become more difficult to retain staff; increased pressure on non-partisan staff to be more</p>	<p>We have few partisan staff: if we count ALL caucus staff = 7; if only political party delegations = 2;</p> <p>As partisan staff grows, and we must assume it will, the non-partisan staff will face these challenges;</p> <p>We depend upon our non-partisan staff for ALL staff service;</p> <p>Turn over is not a problem to date, but will be: 1) because of boomer retirement and 2) if partisanship increases and the role of non-partisan staff changes, we will experience the</p>

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	<p>partisan in their policy information &amp; analysis.</p> <p>Non-partisan staff is perceived as an arm of the majority party. Non-partisan staff is challenged to communicate their proper role in the process.</p>	<p>turn over effect as have others;</p> <p>Currently some new members perceive the staff as ‘belonging’ to the leadership &amp; the Governor’s allies.</p>
<b>Collegiality</b>	<p>How legislators approach their jobs and interact with one another changes.</p> <p>Term limited members have elevated urgency about their service and thus will sacrifice collegiality to accomplish their goals in their limited time. With less time to become friends and develop trust, members are less likely to bond, relationships are more confrontational, and the impetus to compromise decreases</p>	<p>We have seen this change occurring since before 1995 – members drive home more thus losing ‘after hours’ interaction with their colleagues; members tend to know little of members outside their committees and caucuses; as debate decreases the chances for understanding and acceptance of others’ points of view and thus for compromise decreases.</p>

<b>Effects</b>	<b>Study Findings</b>	<b>Louisiana Historical Information</b>
<b>Balance of Power</b>	<p>Influence of the Legislature declines under term limits; This decline is most visible in the budget process, thus shifting the balance of power (control of the purse strings) toward the Executive [true in 5 of 6 states studied] shown by the level legislative of changes made to the Gov's proposed budget – a level which declines; This is fueled by inexperience, both in members and the leadership – they just don't know enough to make the changes</p> <p>Quality of policy does not seem to change, however, the 'policy champions,' those expert members who have garnered expertise through years of service, disappear – insufficient time to develop</p>	<p>Question: can the influence, vis-à-vis the Governor, decline in LA?</p> <p>Question: how will term limits affect the balance of power between the House &amp; Senate?</p> <p>The House of Representatives will have all of the weaknesses identified by the study, arguably exacerbating our weak position vis-à-vis the Governor on the budget and on ALL policy initiatives AND vis-à-vis the Senate, which will remain populated with former House members;</p> <p>Does the House have 'policy champions?'</p> <p>The report did not address the effectiveness of legislative oversight and whether rules review and sunset review declined in effectiveness in term limited legislatures. One can</p>

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	The study does not address intra-legislative power balances.	<p>presume that, as the House's power to affect the budget declines, then the House's oversight effectiveness would suffer in greater degree.</p> <p>Single or "narrow" issue legislators, those elected on limited platforms, will also exacerbate this effect, for they will not have, nor will they desire to obtain, the expertise to effectively deal with policy issues outside their interests and they will try to affect policy so as to further their narrow interests and not benefit the state as a whole.</p>
<b>Lobbyists</b>	Observers believe lobbyists gain influence mostly due to the inexperience of members and their need for quick information [this observation would apply to bureaucrats as well]; this information void is exacerbated	<p>Lobbyists are extremely influential in the Louisiana Legislature, it being hard to imagine that influence growing;</p> <p>The membership appears to rely on lobbyists for a huge amount of the information which they process in</p>

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	<p>by the absence of seasoned veterans and leaders on whom the members can depend; Lobbying becomes more difficult through high turn over and short service, so lobbyists have difficulty developing relations;</p> <p>Lobbyist behavior and ethics has fallen in some states and members seem to be more suspicious of lobbyists and their role in the process.</p>	<p>their decision making;</p> <p>Louisiana lobbyists today spend time traveling the state, visiting members, quickly building trusting relationship, Question: are these relationships affected by partisanship? Truly some lobbyists and the philosophy they represent are more attuned to certain members than to others;</p> <p>Has lobbying become more cut-throat and less based upon trust?</p>
<b>Composition</b>	<p>Term limits were supposed to change the composition to reflect population of the state, <i>i.e.</i> more women and minorities to reflect population demographics</p> <p>This effect had not been born out.</p>	<p>The Louisiana House of Representatives since term limits became effective (1995) has not seen a major change in its composition; We have seen many more resignations and interim elections [1995 - 31 newly elected + 11 interim elections; 1999 – 18 newly elected + 14 interim elections; and 2003 – 18</p>



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		<p>newly elected + 10 interim elections (counts 2 this fall)]</p> <p>Women &amp; Black members:</p> <p>pre-1996 – 13 women &amp; 20 Black;</p> <p>1996 – 15 women &amp; 21 Black;</p> <p>2000 – 22 women &amp; 23 Black; and</p> <p>2004 – 18 women &amp; 25 Black</p>
<b>Responses</b>	<b>Study Findings</b>	<b>Supporting Statements</b>
<b>Turnover:</b> <b>Dealing with the lack of experience</b>	Improve new member orientation	Expand traditional orientation to include policy issues and budget process;
	Institute on-going training for members	To assist in assimilating the mountains of information, mini ‘refresher’ course should be taught; should be conducted during session to render the information relevant and timely;
	Offer mentoring programs	Assign a veteran member to officially be a mentor under a structured program, instructing on traditions, decorum, rules, procedures, the

<b>Responses</b>	<b>Study Findings</b>	<b>Supporting Statements</b>
<b>Legislature's Structure Leaders</b>	Compile directories of rules and traditions	culture, and policy areas OR assign a senior-level staff person to be member's 'buddy,' a direct source of information, or both; Such directories may condense the process of building experience, maturity, institutional knowledge and respect for the institution.
	Develop Leadership ladders & patterns of transition	FL & AK model of choosing Speaker "designates"; Provides stability for the House because all know who will be the future leaders, thus allowing the "designates" to acquire skills early, not "on the job."
	Select leaders in term prior to their final one.	Elect Speaker 1 year before term change, allowing service to begin and arguably increase the impetus to reelect at the term change;

<b>Responses</b>	<b>Study Findings</b>	<b>Supporting Statements</b>
	<p>New role for leaders: educators and chief campaigners</p> <p>Prepare prospective Leaders</p> <p>Quickly build relationships with members by holding regular meetings with new members</p> <p>Hold regular leadership team meetings</p>	<p>Leader's responsibility to insure new members understand the process and what is actually taking place;</p> <p>Once a Speaker "designate" is selected, send them to training [Speaker's School];</p> <p>Members will follow those they trust and sharing information is a way to build trust, so spend time with new members, spend effort educating them and getting to know them;</p> <p>Such meetings keep the leader informed and make members feel part of a team and of the process.</p>
<b>Committees</b>	<p>Provide training and support for committee chairs.</p> <p>Improve committee record keeping.</p>	<p>Hold regular meetings with chairs where information and strategy is discussed and shared;</p> <p>A source for the history of a committee's past efforts are its staff and records, the more accessible, the better the source.</p>

<b>Responses</b>	<b>Study Findings</b>	<b>Supporting Statements</b>
	Carefully utilize member's professional and educational expertise when appointing committees	This will bring awareness of issues to the meetings and lessen the learning curve; also, strive to maintain members on committees from one term to the next.
	Treat Vice Chair position as Chair-in-Training. Avoid appointing freshmen as chairs.	Another manner to increase learning and shorten the OJT. Ideally, chairs should have some prior exposure to the process and the issues, which freshman do not;
	Reduce the number of standing committees Goal for ALL: provide experienced and knowledgeable committee chairs	This becomes critical when a caucus, or party or coalition in control, has too few experienced members to chair all committees.
<b>Staff</b>	Increase staff training	By insuring a well trained and informed and knowledgeable staff member reliance on lobbyist will diminish;

<b>Responses</b>	<b>Study Findings</b>	<b>Supporting Statements</b>
	Retain effective staff	Retains a core of knowledge available to leaders and members, thereby counter-balancing, somewhat, the effects of term limits;
	Centralize partisan staff	Since these staff members tend to be more directly aligned with a particular member, they tend to move on when members do so, so centralization, breaking this attachment, will help retain talented motivated and beneficial staff;
	Clearly define roles of partisan & non-partisan staff	Term-limited legislature needs to find an equilibrium with “enough nonpartisans to keep things running and keep members and the institution out of trouble, and enough partisan staff to help members make the tough choices without becoming dependent on outside sources. Term-limited state legislatures will need both kinds of staff to operate effectively and efficiently;”

<b>Responses</b>	<b>Study Findings</b>	<b>Supporting Statements</b>
	Cultivate relationships between staff & members	It is important that nonpartisan staff find a way to market their services to new members and build trusting relationships early in legislators' careers
<b>Collegiality</b>	Offer opportunities for members to build rapport, including cross-party social interaction	Solid relationships of trust and respect are essential to the legislative process; Mutual respect and civility not only among freshmen members and experienced lawmakers, but also between Democrats and Republicans, are critical to the legislative process.
<b>Balance of Power</b>	Offer training on key policy areas. Offer training on the budget process.  Improve legislative oversight efforts.	

## **Responses**

## **Study Findings**

## **Supporting Statements**

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Train new legislators on separation of powers; Train new legislators on institutional maintenance.

Increase attention to institutional maintenance by leadership

Consolidate budget bargaining power in leadership

<b>Responses</b>	<b>Study Findings</b>	<b>Supporting Statements</b>
<b>Lobbyists</b>	<p>Provide more informational resources to new members to reduce their reliance on lobbyists</p> <p>Educate new members on role of lobbyists</p> <p>Develop a code of ethics for lobbyists</p>	<p>Ease new member reliance on lobbyist, which should result in members receiving less biased information</p> <p>Inviting a trusted, experienced, and thoughtful lobbyist to explain their views on the role of lobbying in the legislative process can give new members a unique perspective.</p> <p>These codes should assist in controlling behavior deemed improper.</p>



TABLE 1  
THE EFFECTS OF TERM LIMITS ON LEGISLATORS SERVING  
IN THE FRESHMAN CLASS of 1996  
(Percentages of Total in Parenthesis)

	Total Number	Serving 12+ years in one or both houses	Serving 12 years but moving to the other house	Serving 12 years in same house and leaving legislature
Total Members	48	31 (65)	5 (10)	16 (33)
House Members	34	38 (46)	14 (17)	11 (32)
Senate Members	14	13 (33)	0 (00)	5 (36)
Republicans	20	8 (40)	5 (25)	2 (10)
Democrats	28	18 (64)	3 (11)	9 (32)
Male	45	28 (62)	5 (11)	8 (17)
Female	3	3 (100)	0 (0)	2 (66)

TABLE 2  
LEGISLATIVE EXPERIENCE

Period	Average Number of Years For House Members	Average Number of Years for Senate Members
1972	4	4
1976	3.9	3.9
1980	3.6	3.7
1984	3.6	3.9
1988	3.7	3.7
1992	3.6	3.5
1996	3.8	3.6
2000	3.7	3.7
2004	3.8	3.8
2008	~ 3.2	~ 8.2